



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

REDEVELOPMENT AGENCY

Dennis Kennedy, Chairperson
Mark Grzan, Vice-Chairperson
Larry Carr, Agency Member
Greg Sellers, Agency Member
Steve Tate, Agency Member

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Mark Grzan, Mayor Pro Tempore
Larry Carr, Council Member
Greg Sellers, Council Member
Steve Tate, Council Member

WEDNESDAY, APRIL 26, 2006

AGENDA

JOINT MEETING

REDEVELOPMENT AGENCY REGULAR MEETING

and

CITY COUNCIL REGULAR MEETING

7:00 P.M.

CALL TO ORDER

(Chairperson/Mayor Kennedy)

ROLL CALL ATTENDANCE

(Deputy Agency Secretary/Deputy City Clerk Malone)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(Deputy Agency Secretary/Deputy City Clerk Malone)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

RECOGNITIONS

Mt. Madonna YMCA Volunteer of the Year
Doris Bateman

Mt. Madonna YMCA Teen Volunteer of the Year
Mark Curtis

PRESENTATIONS

Pandemic Flu
Director of Santa Clara County Health Department, Dr. Guadalupe Olivas
Santa Clara County Health Officer, Dr. Martin Fenstersheib

CITY COUNCIL REPORT

Council Member Tate

CITY COUNCIL COMMITTEE REPORTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

City Treasurer's Quarterly Report
City Treasurer Roorda

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

Redevelopment Agency Action

CONSENT CALENDAR:

ITEMS 1-2

The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate
Consent Calendar: 1 - 10 Minutes

Page

1. **MARCH 2006 FINANCE & INVESTMENT REPORT - RDA** 1
Recommended Action(s): Accept and File Report.

Time Estimate **Page**
Consent Calendar: 1 - 10 Minutes

2. **APPROVAL OF BELLINGER FOSTER STEINMETZ SCOPE OF WORK AND CONTRACT AMOUNT FOR ARCHITECTURAL DESIGN AND CONSTRUCTION DOCUMENTS FOR THE SPORTS COMPLEX PHASE ONE**..... 11
Recommended Action(s):
1. **Authorize** the Executive Director to Prepare and Execute a Contract with Bellinger Foster Steinmetz in an amount not to Exceed \$230,000 for Architectural Services for Phase One of the Sports Complex Project on Condit Road, Subject to Review and Approval by the City Attorney; and
2. **Approve** a Professional Services Budget Adjustment of \$25,000 from CIP 114000 Regional Soccer Complex to CIP 115A02.

City Council Action

CONSENT CALENDAR:

ITEMS 3-12

Time Estimate **Page**
Consent Calendar: 1 - 10 Minutes

3. **MARCH 2006 FINANCE & INVESTMENT REPORT - CITY**..... 19
Recommended Action(s): Accept and File Report.
4. **NEW LIBRARY CONSTRUCTION STAKING**..... 45
Recommended Action(s): Authorize the City Manager to Execute a Consultant Agreement with MH Engineering for Construction Staking of the New Library in an Amount not to exceed \$50,000; Subject to Review and Approval by the City Attorney.
5. **PURCHASE OF VEHICLES FOR PUBLIC WORKS DEPARTMENT** 47
Recommended Action(s):
1. **Authorize** Vehicle Purchases through the State of California General Services Procurement Process for the Vehicles Identified in this Staff Report, for a Total Cost of \$190,454; and
2. **Declare** the Vehicles identified in the Spreadsheet as Surplus and for Sale at Auction.
6. **CITY POSITION ON SANTA CLARA VALLEY WATER DISTRICT ENABLING LEGISLATION** 51
Recommended Action(s): Authorize the Mayor to Send a Letter Supporting AB2435.
7. **SUSTAINABLE SILICON VALLEY PARTICIPATION**..... 63
Recommended Action(s): Direct Staff to have the City Become a Partner in Sustainable Silicon Valley (SSV), with Annual Partnership Dues of \$1,000 Charged to Fund 232, Environmental Programs.
8. **AGREEMENT WITH PG&E FOR DEPOT STREET UNDERGROUNDING UTILITIES PROJECT**..... 67
Recommended Action(s):
1. **Authorize** the City Manager to Execute an Agreement with PG&E, Subject to Review and Approval by the City Attorney, in the Amount of \$438,699 for Completing the Engineering Design Work and Installation Costs for the Depot Street Undergrounding Utilities Project; and
2. **Authorize** the Use of \$340,000 in RDA Funds for the Depot Street Undergrounding Utilities Project (537004) that was Previously Approved for the Depot Street Reconstruction Project (539005).

Time Estimate **Page**
Consent Calendar: 1 - 10 Minutes

9. **ADOPT ORDINANCE NO. 1776, NEW SERIES** 71
Recommended Action(s): **Waive** the Reading, and **Adopt** Ordinance No. 1776, New Series, and **Declare** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING ZONING AMENDMENT APPLICATION ZA-05-27: SANTA TERESA – BLACK ROCK LLC (APN 779-02-002).**

10. **ADOPT ORDINANCE NO. 1777, NEW SERIES** 77
Recommended Action(s): **Waive** the Reading, and **Adopt** Ordinance No. 1777, New Series, and **Declare** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO ORDINANCE NO. 1708 NEW SERIES, AMENDING THE DEVELOPMENT AGREEMENT FOR APPLICATION DA-04-06: COCHRANE-BORELLO. (APN 728-34-007).**

11. **ADOPT ORDINANCE NO. 1778, NEW SERIES** 83
Recommended Action(s): **Waive** the Reading, and **Adopt** Ordinance No. 1778, New Series, and **Declare** That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AMENDING TITLE 2, CHAPTERS 2.22 (MASTER PROVISIONS FOR BOARDS & COMMISSIONS), 2.28 (HEALTH COMMISSION), 2.32 (PARKS & RECREATION COMMISSION), 2.56 (ARCHITECTURAL & SITE REVIEW BOARD), 2.64 (MOBILE HOME RENT COMMISSION), AND 2.68 (LIBRARY, CULTURE & ARTS COMMISSION); AND ADDING SECTION 2.70, SENIOR ADVISORY COMMISSION OF THE MORGAN HILL MUNICIPAL CODE.**

12. **APPROVE SPECIAL CITY COUNCIL MEETING MINUTES OF APRIL 12, 2006.**..... 99

City Council Action

OTHER BUSINESS:

Time Estimate

Page

13. **20 Minutes** **COMMUNITY SPECIAL EVENT FUNDING REQUESTS FOR FISCAL YEAR 2006-2007 BUDGET CONSIDERATION**..... 113
Recommended Action(s):
 1. **Review** Requests Submitted by Community Organizations;
 2. **Provide** Funding Direction to Staff for Consideration in the Fiscal Year 2006-2007 Budget Process for Community-Wide Special Events;
 3. **Determine** if a Separate Policy Should be Drafted to Address Public Facility Rental Rate Discounts, Funding of Events not Falling into the Community-Wide Criteria, and Outside Organization Requests for Council Funding/Co-Sponsorship Support; and
 4. **Council Discretion** on Funding United Way's 2-1-1 Call Center for \$10,000, and Providing a Letter of Support to the CPUC.

OTHER BUSINESS:

	Time Estimate		Page
14.	5 Minutes	<u>APPOINTMENTS TO FILL VACANCIES ON THE LIBRARY, CULTURE & ARTS COMMISSION AND THE PARKS & RECREATION COMMISSION</u>	163
		<u>Recommended Action(s):</u> <u>Consider</u> , <u>Discuss</u> , and <u>Ratify</u> Mayor's Appointment to Fill Vacancies on the Library, Culture & Arts Commission; and the Parks & Recreation Commission.	
15.	10 Minutes	<u>REPORT FROM THE CITY COUNCIL AD HOC TASK FORCE</u>	165
		<u>Recommended Action(s):</u>	
		1. <u>Discuss</u> Ad Hoc Task Force Report;	
		2. <u>Adopt</u> Ad Hoc Task Force Recommended Actions; and	
		3. <u>Direct</u> Ad Hoc Task Force to Return to the Council with a Recommendation on Outstanding Item(s).	

City Council and Redevelopment Agency Action

OTHER BUSINESS:

	Time Estimate		Page
16.	10 Minutes	<u>COUNCIL GOAL: COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE COMMUNICATION PLAN FOR DOWNTOWN</u>	179
		<u>Recommended Action(s):</u> <u>Endorse</u> the Council Community and Economic Development Committee's (C&ED) Recommended Approach for Communicating to the Community the Accomplishments and Goals for Downtown.	

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON AGENDA

Following the opening of Council/Agency business, the public may present comments on items *NOT* appearing on the agenda that are within the Council's/Agency's jurisdiction. Should your comments require Council/Agency action, your request will be placed on the next appropriate agenda. No Council/Agency discussion or action may be taken until your item appears on a future agenda. You may contact the City Clerk/Agency Secretary for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your presentation to three (3) minutes.

PUBLIC COMMENTS ON ITEMS APPEARING ON AGENDA

The Morgan Hill City Council/Redevelopment Agency welcomes comments from all individuals on any agenda item being considered by the City Council/Redevelopment Agency. Please complete a Speaker Card and present it to the City Clerk/Agency Secretary. This will assist the Council/Agency Members in hearing your comments at the appropriate time. Speaker cards are available on the table in the foyer of the Council Chambers. In accordance with Government Code 54953.3 it is not a requirement to fill out a speaker card in order to speak to the Council/Agency. However, it is very helpful to the Council/Agency if speaker cards are submitted. As your name is called by the Mayor/Chairman, please walk to the podium and speak directly into the microphone. Clearly state your name and address and then proceed to comment on the agenda item. In the interest of brevity and timeliness and to ensure the participation of all those desiring an opportunity to speak, comments presented to the City Council/Agency Commission are limited to three minutes. We appreciate your cooperation.

NOTICE

AMERICANS WITH DISABILITIES ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City. If you need special assistance to access the meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation. Please make your request at least 48 hours prior to the meeting to enable staff to implement reasonable arrangements to assure accessibility to the meeting.

If assistance is needed regarding any item appearing on the City Council/Agency Commission agenda, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation.

NOTICE

Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council/Agency Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action by the City Council/Agency Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.